

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RICHARD BERNARD,

Plaintiff,

v.

MICHAEL J. ASTRUE,

Defendant.

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: CIVIL ACTION NO. 3:11-CV-1522  
:  
: (JUDGE CONABOY)  
: (Magistrate Judge Carlson)  
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FILED  
SCRANTON

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DEPUTY CLERK

ORDER

Because Magistrate Judge Martin C. Carlson recommends that Plaintiff's claims for Disability Insurance Benefits be remanded to the Commissioner of Social Security with instructions that Plaintiff's claims be reconsidered (Doc. 18); and

Because, Defendant waived the opportunity to object (Doc. 19);

Because Plaintiff's counsel advised the Court that she does not intend to file objections (Doc. 20)

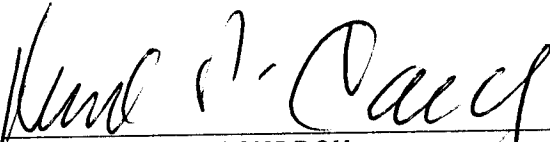
NOW, THEREFORE, THIS 26<sup>th</sup> DAY OF MARCH 2013, IT IS

**HEREBY ORDERED THAT:**

1. The Magistrate Judge's Report and Recommendation (Doc. 18) is ADOPTED;
2. Pursuant to the fourth sentence of 42 U.S.C. § 405(g), this matter is REMANDED to the Commissioner of Social Security for further consideration consistent with Magistrate Judge Carlson's Report and Recommendation;<sup>1</sup>

<sup>1</sup> The fourth sentence of 42 U.S.C. § 405(g) provides that "[t]he courts shall have the power to enter, upon the pleadings and

3. The Clerk of Court is directed to enter judgment in accordance with this Order and to mark the matter in this Court CLOSED.

  
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RICHARD P. CONABOY  
United States District Judge

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transcripts of the record, a judgment affirming, modifying or reversing the decision of the Commissioner of Social Security with or without remanding the cause for a re-hearing." Accordingly, the Clerk of Court will be directed to enter judgment in accordance with this Order. See *Kadelski v. Sullivan*, 30 F.3d 399 (3d Cir. 1994).